

Exhibit 2

From: Melissa Clark <melissa@feganscott.com>
Sent: Thursday, July 30, 2020 9:56 AM
To: Patel, Amisha
Cc: Jessica Meeder; Sarchio, Christina; Engsell, Tiffany; Tam, Jonathan; Elizabeth Fegan; Jonathan Lindenfeld; Bart Goplerud; Jennie Lee Anderson; Brandon Bohlman; Brian Marty
Subject: Re: Cohen v. Apple- Plaintiffs' Production and Dismissal

Great. I'll send out a call invite this afternoon.

By "begin," I mean that production will be made on a rolling basis, i.e., Plaintiffs' production of responsive documents will start on Monday, but will not be complete on Monday. Does that answer your question?

As far as why documents cannot be "produced all at once, if not earlier"—typically, documents must be located, collected, processed, and produced in accordance with our technical specifications for the production of documents ("tech specs"). If you would like, we can informally provide some materials sooner via email attachment, with a substitute production to follow next week.

Of course, we would ask Apple to treat such documents as confidential until formal production indicating the appropriate level of confidentiality, and to waive any objections regarding duplicative production or compliance with the "tech specs." Please let us know if you would prefer an interim informal production under these conditions. Otherwise, we anticipate producing documents on Monday.

Relatedly, Apple represented to the Court that its rolling production would begin on July 23. We haven't seen a production yet -- have we missed anything?

Best,
Melissa

Melissa Ryan Clark | **Fegan Scott, LLC** | 347.353.1150



From: Patel, Amisha <Amisha.Patel@dechert.com>
Sent: Wednesday, July 29, 2020 3:34 PM
To: Melissa Clark <melissa@feganscott.com>
Cc: Jessica Meeder <jessica@feganscott.com>; Sarchio, Christina <Christina.Sarchio@dechert.com>; Engsell, Tiffany <tiffany.engsell@dechert.com>; Tam, Jonathan <Jonathan.Tam@dechert.com>; Elizabeth Fegan <beth@feganscott.com>; Jonathan Lindenfeld <jonathan@feganscott.com>; Bart Goplerud <goplerud@sagwlaw.com>; Jennie Lee Anderson <jennie.anderson@andrusanderson.com>; Brandon Bohlman

<bohlman@sagwlaw.com>; Brian Marty <marty@sagwlaw.com>

Subject: RE: Cohen v. Apple- Plaintiffs' Production and Dismissal

Thanks, Melissa. We are available Tuesday for a meet and confer between noon and 4pm ET.

As to Plaintiffs' anticipated production, please clarify what you mean by "begin" and why the documents responsive to the requests identified below cannot be fully produced all at once, if not earlier.

Best,

Amisha

Amisha R. Patel

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From: Melissa Clark [mailto:melissa@feganscott.com]

Sent: Wednesday, July 29, 2020 3:07 PM

To: Patel, Amisha <Amisha.Patel@dechert.com>

Cc: Jessica Meeder <jessica@feganscott.com>; Sarchio, Christina <Christina.Sarchio@dechert.com>;

Engsell, Tiffany <tiffany.engsell@dechert.com>; Tam, Jonathan <Jonathan.Tam@dechert.com>;

Elizabeth Fegan <beth@feganscott.com>; Jonathan Lindenfeld <jonathan@feganscott.com>; Bart

Goplerud <goplerud@sagwlaw.com>; Jennie Lee Anderson <jennie.anderson@andrusanderson.com>;

Brandon Bohlman <bohlman@sagwlaw.com>; Brian Marty <marty@sagwlaw.com>

Subject: Re: Cohen v. Apple- Plaintiffs' Production and Dismissal

[EXTERNAL EMAIL]

Hi Amisha,

Thanks for that clarification regarding Apple's view.

We will plan to begin production on Monday. Is your team available to meet and confer on Tuesday before 4 Eastern?

Thanks,

Melissa

On Jul 28, 2020, at 12:12 PM, Patel, Amisha <Amisha.Patel@dechert.com> wrote:

Jessica, please advise as to your availability for a meet and confer on Monday, Aug. 3. To be clear, Apple proposes a meet and confer regarding deficiencies in Plaintiffs' written RFP responses, not the production promised by Plaintiffs in their July 9 responses.

Regarding your July 26 email, as outlined in yesterday's letter, Apple does not view the Court's July 16 order as limiting discovery *from* Plaintiffs, and we struggle to understand Plaintiffs' reading of that order as somehow limiting Plaintiffs' obligations to appropriately respond to and produce documents in response to discovery that has now been pending for over two months. In addition, while you claim that some of your collection efforts necessitate search terms—a proposition Apple requires additional time to consider—some of the categories of documents

Plaintiffs have agreed to produce should not require search terms at all. Specifically, Plaintiffs have yet to produce documents in response to RFPs 15, 16, 17, which relate to documents and communications related to RF emissions testing and/or inspection of iPhones identified in the Complaint, including testing conducted by third parties. Plaintiffs likewise have not produced documents in response to RFP 35—documents exchanged with the Chicago Tribune and Sam Roe. Apple is at a loss as to why these documents have not been promptly produced, particularly because this information presumably forms the basis of Plaintiffs' complaint—the original of which was filed in August 2019, and because Plaintiffs represented (again) to the Court most recently that it needed additional information from Apple to compare the results of Plaintiffs' and third party testing. Please confirm that Plaintiffs will produce these documents in particular no later tomorrow, July 29.

Best,

Amisha

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